

**HUNTON &  
WILLIAMS**

**FAX**

RECEIVED  
CENTRAL MAIL CENTER

OCT 04 2006

600 PEACHTREE STREET, N.E.  
SUITE 4100  
ATLANTA, GA 30308

TEL 404 • 888 • 4000  
FAX 404 • 888 • 4190

**TO** NAME MAIL STOP AFTER FINAL  
FIRM U.S. Patent and Trademark Office  
FAX NO.: 571-273-8300

PAGES (INCLUDING COVER): 11

ORIGINAL TO FOLLOW IN MAIL:  Yes  No

**FROM** NAME: Robert A. King, Esq.  
FLOOR:  
DIRECT DIAL: 404-888-4136

**MESSAGE** In re Application Of: Samuel M. SHAOLIAN, et al. Examiner: REIMERS, A.  
Application No.: 10/606,409 Art Unit: 3733  
Filed: June 25, 2003 Docket No.: 64118.000141  
Title: TRANSPEDICULAR INTERVERTEBRAL DISK ACCESS  
METHODS AND DEVICES

In accordance with 37 CFR 1.8, I hereby certify that the attached correspondence entitled:  
**RESPONSE UNDER 37 C.F.R. § 1.111** attached is being facsimile transmitted to the  
United States Patent and Trademark Office on October 4, 2006.

Signature: \_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate: Robert A. King  
Registration No., if applicable: 42,738

IF PROBLEM WITH TRANSMISSION, PLEASE CONTACT OPERATOR AT 404 • 888 • 4027.

**OPERATOR**  
DATE: October 4, 2006  
TIME:  
CLIENT/MATTER NAME:  
CLIENT/MATTER NO.: 64118.000141

This communication is confidential and is intended to be privileged pursuant to the attorney-client privilege and the work-product doctrine. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service.

U.S. APPLICATION No. 10/606,409  
ATTORNEY DOCKET No. 64118.000141

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER  
OCT 04 2006

In re Application Of: ) Confirmation No. 5663  
Samuel M. SHAOLIAN et al. )  
Application Number: 10/606,409 ) Group Art Unit: 3733  
Filed: June 25, 2003 )  
For: TRANSPEDICULAR ) Examiner REIMERS, A.  
INTERVERTEBRAL DISK )  
ACCESS METHODS AND )  
DEVICES )

RESPONSE UNDER 37 C.F.R. § 1.113

**MAIL STOP AFTER FINAL**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**I. INTRODUCTION**

In response to the Office Action mailed August 7, 2006 (the "Office Action"), Applicants hereby offer the following response. A brief index of the present communication follows.

- Listing of the Claims begin on page 2 of this paper.
- Remarks/Arguments begin on page 5 of this paper.